

EXHIBIT 4

Tuesday, May 21, 2024 at 16:22:30 Eastern Daylight Time

Subject: Re: Jonathan R. Meet and Confer
Date: Thursday, May 2, 2024 at 4:14:08 PM Eastern Daylight Time
From: Julia Tebor
To: Philip Peisch, Julia Siegenberg, Marcia Lowry, Alex Meade, Lindsay Gus, Rich Walters, John Mazezka, Laura Welikson
CC: Steven R. Compton, Trevor Rhodes, Rebecca Wolfe
Attachments: image001.jpg, image002.png, image003.png, image004.png, image005.png, image006.png, image007.jpg, image008.png, image009.png, image010.png, image011.png, image012.png

Phil,

We have considered your proposal below. Plaintiffs will agree that Defendants foregoing moving for a protective order to clawback D001073022 does not constitute a waiver of A/C privilege, attorney work product, or deliberative process privilege with respect to other documents and information.

Plaintiffs, however, continue to believe that the deliberative process privilege is inapplicable in this action. And as Defendants are aware, Plaintiffs were prevented from seeking certain discovery during Jeremiah Samples' deposition on the basis of deliberative process privilege. Plaintiffs plan to move to compel Defendants to allow this discovery as well as to produce any documents they may be withholding on these grounds. While Plaintiffs are still waiting for Defendants' privilege log on this issue, given the Court-ordered schedule and the timing for the end of fact discovery, the parties must have a resolution of this issue quickly.

We understand that Defendants will object to this motion.

Thank you,

Julia Tebor

Supervising Attorney

[A Better Childhood](#)

jtebor@abetterchildhood.org

O: (646) 771-9778



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From: Philip Peisch <Ppeisch@brownandpeisch.com>
Date: Monday, April 29, 2024 at 2:42 PM
To: Julia Tebor <jtebor@abetterchildhood.org>, Julia Siegenberg <jsiegenberg@brownandpeisch.com>, Marcia Lowry <mlowry@abetterchildhood.org>, Alex Meade <ameade@shafferlaw.net>, Lindsay Gus <lgus@abetterchildhood.org>, Rich Walters <rwalters@shafferlaw.net>, John Mazezka <jmazezka@drowfv.org>, Laura Welikson <lwelikson@abetterchildhood.org>
Cc: "Steven R. Compton" <Steven.R.Compton@wvago.gov>, Trevor Rhodes <trhodes@brownandpeisch.com>, Rebecca Wolfe <rwolfe@brownandpeisch.com>
Subject: RE: Jonathan R. Meet and Confer

Ok, thanks, sounds good.

PHILIP J. PEISCH
O: 202.499.4261 | C: 339.927.6908
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From: Julia Tebor <jtebor@abetterchildhood.org>
Sent: Monday, April 29, 2024 2:25 PM
To: Philip Peisch <Ppeisch@brownandpeisch.com>; Julia Siegenberg <jsiegenberg@brownandpeisch.com>; Marcia Lowry <mlowry@abetterchildhood.org>; Alex Meade <ameade@shafferlaw.net>; Lindsay Gus <lgus@abetterchildhood.org>; Rich Walters <rwalters@shafferlaw.net>; John Mazezka <jmazezka@drowfv.org>; Laura Welikson <lwelikson@abetterchildhood.org>
Cc: Steven R. Compton <Steven.R.Compton@wvago.gov>; Trevor Rhodes <trhodes@brownandpeisch.com>; Rebecca Wolfe <rwolfe@brownandpeisch.com>
Subject: Re: Jonathan R. Meet and Confer

Phil,

We are considering your proposal below. We can hold off on the call in the meantime and reschedule if necessary.

Thanks,

Julia Tebor

Supervising Attorney

[A Better Childhood](#)

jtebor@abetterchildhood.org

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From: Philip Peisch <Ppeisch@brownandpeisch.com>

Date: Monday, April 29, 2024 at 2:03 PM

To: Julia Siegenberg <jsiegenberg@brownandpeisch.com>, Julia Tebor <jtebor@abetterchildhood.org>, Marcia Lowry <mlowry@abetterchildhood.org>, Alex Meade <ameade@shafferlaw.net>, Lindsay Gus <lgus@abetterchildhood.org>, Rich Walters <rwalters@shafferlaw.net>, John Mazezka <jmazezka@drowfww.org>, Laura Welikson <lwelikson@abetterchildhood.org>

Cc: "Steven R. Compton" <Steven.R.Compton@wvago.gov>, Trevor Rhodes <trhodes@brownandpeisch.com>, Rebecca Wolfe <rwolfe@brownandpeisch.com>

Subject: RE: Jonathan R. Meet and Confer

Counsel – Will Plaintiffs agree that Defendants foregoing moving for a protective order to

clawback D001073022 does not constitute a waiver of A/C privilege, attorney work product, or deliberative process privilege with respect to other documents and information? If Plaintiffs will agree to that in writing over email, I think Defendants can avoid moving for a protective order, and we can move past this issue and cancel today's meet-and-confer.

Phil

PHILIP J. PEISCH

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-----Original Appointment-----

From: Julia Siegenberg <jsiegenberg@brownandpeisch.com>

Sent: Tuesday, April 23, 2024 12:10 PM

To: Julia Siegenberg; Julia Tebor; Marcia Lowry; Alex Meade; Lindsay Gus; Rich Walters; John Mazezka; Laura Welikson

Cc: Philip Peisch; Steven R. Compton; Trevor Rhodes; Rebecca Wolfe

Subject: Jonathan R. Meet and Confer

When: Monday, April 29, 2024 3:30 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

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